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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,853	12/08/2003	Nam-Ki Min	007937.P039	6429
8791 7590 04/09/2008 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER				
TRAN, QUOC DUC				
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2614				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/730,853

Applicant(s)

MIN ET AL.

Examiner

Quoc D. Tran

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 8, 15, 17, 19, 21, 23 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 8, 15, 17, 21, 23 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/888)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 17 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al (2003/0054863).

Consider claim 17, Lee et al teach a mobile terminal, comprising a memory unit for storing caller information (Fig. 2); and a radio frequency transmitter for transmitting data including caller information during a voice call over a *reverse traffic channel* (see Fig. 4, 449) after a call connection is set up (¶ 0039-0041, 0044), *wherein the data includes the caller information (i.e., caller image) and a telephone number of a receiving party (i.e., dialing number) (see ¶ 0033). It should be noted that a reverse traffic channel is an uplink channel from the mobile station (i.e., calling EU) to the base station (i.e., Node B).*

Consider claim 25, Lee et al teach wherein the caller information is transmitted in the form of a packet (¶ 0041).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 8, 15, 19, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Awada et al (2002/0126814) in view of Lee et al (2003/0054863).

Consider claims 1 and 8, Awada et al teach a system and method for displaying caller information (abstract), comprising: a caller terminal for storing caller information and transmitting data including the caller information to a service system after a call connection is setup (§ 0009, 0025); a service system for receiving the data including the caller information from the caller terminal and transmitting the data to a receiver terminal (§ 0027, 0036); and the receiver terminal for receiving the data from the service system, storing the caller information to be linked with a telephone number of the caller terminal and displaying the caller information when a paging signal is received (§ 0038, 0043-0044), *wherein the caller information is automatically stored in the receiver terminal by linking a telephone number contained in the data with a telephone number stored in a telephone directory* (§ 0034).

Awada et al did not suggest the service system for receiving caller ID data over *a reverse channel after the call connection set up* and for transmitting the data to a receiver terminal (called party) *over a forwarding traffic channel*. However, Lee et al suggested system and method for transmitting caller image (i.e., caller ID data) from a calling EU (caller terminal) to a called EU (receiving terminal) over *an established voice channel path or over a new established*

channel path after the call connection setup (§ 0039-0041, 0044) for efficiently transmitting image data over the network. *It should be noted that the caller image information is transmitted from the calling EU to network Node B and then to the called EU (see Fig. 4, step 449). Thus, mobile communications from calling EU to Node B is uplink channel (i.e., reverse traffic channel) and communication from Node B to the called EU is a downlink channel (i.e., forwarding traffic channel).*

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Lee et al into view of Awada et al for the reason described above.

Consider claim 15, Awada et al teach a mobile terminal (§ 0017), comprising: a radio frequency (RF) receiver for receiving data including caller information during a call (§ 0009); a memory unit for storing the caller information to be linked with a telephone number of a caller terminal (§ 0039); and a controller for controlling a mobile terminal to display the caller information when a paging signal is received (§ 0043-0044), *wherein the caller information is automatically stored in the receiver terminal by linking a telephone number contained in the data with a telephone number stored in a telephone directory* (§ 0034).

Awada et al did not suggest the RF receiver (i.e., called terminal) receives caller ID data *over a forwarding traffic after the call connection set up*. However, Lee et al suggested system and method for transmitting caller image (i.e., caller ID data) from a calling EU (caller terminal) to a called EU (receiving terminal) *over an established voice channel path or over a new established channel path after the call connection setup* (§ 0039-0041, 0044) for efficiently transmitting image data over the network. *It should be noted that the caller image information*

is transmitted from the calling EU to network Node B and then to the called EU (see Fig. 4, step 449). Thus, mobile communications from calling EU to Node B is uplink channel (i.e., reverse traffic channel) and communication from Node B to the called EU is a downlink channel (i.e., forwarding traffic channel).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Lee et al into view of Awada et al for the reason described above.

Consider claim 19 and 21, Lee et al teach wherein the caller information is transmitted in the form of a packet (§ 0041).

Consider claim 23, Lee et al teach wherein the caller information is transmitted in the form of a packet (§ 0041).

5. Claims 17 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Awada et al (2002/0126814) in view of Lee et al (2003/0054863).

Consider claim 17, Awada et al teach a mobile terminal, comprising a memory unit for storing caller information (§ 009, 0025); and a radio frequency transmitter for transmitting data including caller information during a voice call (§ 0009), wherein the data includes the caller information (i.e., caller name, address, email address, etc.) and a telephone number of a receiving party (i.e., dialing number or called party identifier) (§0010, 0025).

Awada et al did not suggest radio transmitter for transmitting data including caller ID information over *a reverse channel after the call connection set up* and for transmitting the data to a receiver terminal (called party) *over a forwarding traffic channel*. However, Lee et al suggested system and method for transmitting caller image (i.e., caller ID data) from a calling

EU (caller terminal) to a called EU (receiving terminal) over *an established voice channel path or over a new established channel path after the call connection setup* (§ 0039-0041, 0044) for efficiently transmitting image data over the network. *It should be noted that a reverse traffic channel is an uplink channel from the mobile station (i.e., calling EU) to the base station (i.e., Node B).*

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Lee et al into view of Awada et al for the reason described above.

Consider claim 25, Lee et al teach wherein the caller information is transmitted in the form of a packet (§ 0041).

Response to Arguments

6. Applicant's arguments filed 1/7/2008 have been fully considered but they are not persuasive.

Regarding applicant argument that Lee et al failed to teach or suggest of a user terminal uses a reverse traffic channel to transmit caller information to a service system and/or a service system transmitting caller data over a forwarding traffic channel to a receiver terminal. Accordingly, the examiner respectfully disagrees with applicant arguments. Lee et al teach a system and method for displaying caller information using image data in a mobile telecommunications system. If a call origination has occurred, a calling user element sets up a voice data channel with a called user element and forms a data path with the called user element to transmit caller image information. Then, the calling user element transmits the caller image information to the called user element over the data path. *It should be noted that the data and*

voice paths formed between the calling EU and the called UE via the NODE B+RNC+CN (i.e., service system). The caller image information is transmitted from the calling EU to network NODE B+RNC+CN and then to the called EU (see Fig. 4, step 449). Thus, communications from calling EU to Node B is uplink channel (i.e., reverse traffic channel) and communication from Node B to the called EU is a downlink channel (i.e., forwarding traffic channel).

Therefore, Lee et al clearly disclosed of a user terminal uses a reverse traffic channel to transmit caller information to a service system and/or a service system transmitting caller data over a forwarding traffic channel to a receiver terminal.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any response to this action should be mailed to:

Art Unit: 2614

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:

Customer Service Window

Randolph Building

401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Quoc D Tran/

Primary Examiner, Art Unit 2614

April 5, 2008